

Wetlands Bureau Decision Report

Decisions Taken
08/25/2008 to 08/31/2008

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-02965 NEWPORT GOLF CLUB
NEWPORT Sugar River

Requested Action:

Approve amendment request to dredge and fill 3,190 square feet (725 linear feet) of the South Branch Sugar River to riprap and biostabilize five (5) failing bank locations, including blocking a newly formed channel, and install rock veins and buffer plantings.

Conservation Commission/Staff Comments:

No comments submitted from the conservation commission.

Inspection Date: 04/22/2005 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Restore approximately 56,000 square feet (1,400 linear feet) of the bed and banks of the South Branch Sugar River to its historic channel and fill approximately 18,400 square feet (460 linear feet) within the bed and banks of the South Branch Sugar River. Dredge approximately 11,442 square feet of palustrine emergent, wet meadow to create additional flood storage. Riprap/biostabilize 3,190 square feet (725 linear feet) of South Branch Sugar River at five (5) failing bank locations, including blocking a newly formed channel. Work to include installation of in-stream structures and the establishment of a 35-foot vegetated riparian buffer along the restored channel and bank stabilization areas.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering & Surveying, Inc. (Concord Office), sheets 1, 7, 10 and 11 of 13 dated 01-19-06, sheet 2 of 13 dated 10-14-03, sheets 8, 9, and 12 of 13 dated 03-01-06, as received by the Department on March 9, 2006, and sheets 6 and 13 of 13 dated 04-05-06, as received by the Department on April 6, 2006, and the Construction Sequence and Riparian Buffer details prepared by Holden Engineering & Surveying, Inc. (Bedford Office) dated April 4, 2006, as received by the Department on April 4, 2006 and plans dated October 14, 2003 and revised through February 24, 2005 (highlighted pink areas only) and narrative by Nick Catsam dated June 18, 2008, as received by the Department on June 23, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work (phase I only).
4. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
5. Construction shall be inspected daily by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization. The findings of these inspections shall be documented and maintained on-site. The inspection reports shall include remedial measures necessary to assure compliance with the plans and permit conditions.
6. The applicant shall receive approval for a turbidity monitoring plan from the Watershed Management Bureau prior to construction. The plan shall include in-stream monitoring which will determine compliance with the state water quality standard (Class B) for turbidity. The monitoring shall include the establishment of background turbidity levels to assess the level of change during reintroduction of flows into the restored stream channel (phase 1 only).
7. Work shall be done during low flow.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
14. Temporary cofferdams shall be removed in a controlled, gradual manner that does not allow a sudden release of impounded water so as to cause erosion or siltation.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
21. Restoration of the river banks, bed and riparian buffer shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a functioning, stable riverine system representative of existing reaches along the South Branch of the Sugar River through the golf course. Remedial measures may include replanting, relocating plantings, removal of invasive species, and changing the location, orientation and configuration of in-stream structures.
22. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the riverine and riparian buffer restoration areas are constructed in accordance with the plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
23. The designated qualified professional shall conduct a follow-up inspection after the first growing season, to review the success of the riverine and riparian buffer restoration and bank stabilization areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of the riverine restoration.
24. The riparian buffer restoration areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional riparian buffer is replicated in a manner satisfactory to the DES Wetlands Bureau.
25. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
26. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
27. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
28. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
29. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
30. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
31. Within the re-established driving range on the south end of the golf course and bank stabilization areas, bordering the Sugar River, the riparian buffer shall be permanently maintained, and placement of additional fill, construction of structures, or storage of

vehicles or hazardous materials shall be prohibited.

32. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

33. This permit is contingent upon receipt, by the DES Wetlands Bureau, of confirmation abutters were notified in accordance with Env-Wt 501.01, including a list that clearly identifies current abutter lot numbers and names and certified mail receipts for each abutter on the list.

34. This permit is contingent upon receipt, by the DES Wetlands Bureau, of final riprap bank stabilization details, including cross-section plans.

35. This permit is contingent on receipt, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

36. This permit is contingent upon receipt, by the DES Wetlands Bureau, of a construction sequence for the proposed riprap/biostabilization.

With Findings:

The DES Wetlands Bureau reaffirms findings no.'s 1-5 & 11-13:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear feet of a perennial nontidal stream and/or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 22, 2005. Field inspection determined initial project designs require additional review and potential alterations.
6. The NHF&G Department requested a minimum 25 foot native, vegetated riparian buffer be established.
7. The applicant as provided for a 35 foot wide native vegetated riparian buffer.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine system.

The DES Wetlands Bureau also makes the following additional findings:

9. DES Staff conducted a site-inspection on May 15, 2008. Additional bank stabilization proposed under the amendment was documented and photographed. The site-inspection also documented the success of the originally permitted phase of the project.
10. Subsequent design changes to the initial proposal reduced the scope of the project to restoration of the historic channel only (phase I).
11. The additional bank stabilization proposed in the amendment was included as part of the original submittal, but was removed prior to permit issuance.
12. Amendment impacts include 3,190 square feet (725 linear feet) of South Branch Sugar River impacts for riprap and biostabilization.
13. The project will impact approximately 32,590 square feet of jurisdictional wetlands and riverine habitat and therefore requires mitigation.
14. The applicant is required to create 1.5 times the impacted wetlands for mitigation. The proposed impacts, 32,590 square feet require 48,885 square feet of created wetlands. The project will create approximately 56,000 square feet of wetlands.
15. The originally approved project (phase I) altered approximately 460 linear feet of stream channel to create approximately 1,400 linear feet of stream channel, for a net gain of approximately 940 linear feet of stream channel and riparian habitat.

**2006-03232 BRISTOL, TOWN OF
BRISTOL Pemigewasset River**

Requested Action:

Amend existing permit to increase the temporary impact area by 1087 square feet for the construction of 30 foot high shoring towers.

APPROVE AMENDMENT:

Dredge and fill a total of 15417 square feet along 272 linear feet within the bed and banks of the Pemigewasset River to replace an existing bridge further described as follows: Temporarily impact 11,702 square feet for construction access and erosion controls, and permanently impact 3715 square feet for installation of rip rap and stone stairs.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants Inc dated September 12, 2007, as received by the Department on September 12, 2007 and plans by Eckman Engineering LLC dated April 2008 as received by the Department on June 13, 2008.
2. Copies of all the recorded easements for work within our jurisdiction shall be submitted to the NH DES Wetlands Bureau prior to the start of construction.
3. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans and bridge demolition plans. Those plans shall detail the timing and method of stream flow diversion during construction, include timing and methods of removal for the existing structure and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
7. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. No equipment shall enter the water, unless written agreement from NH DES has been received for the work activity.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
12. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. The proposed granite steps within the bank shall be no greater than 6 feet in width.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
21. Planted rip rap shall be installed on either side of the river per the detail received.
22. Above the Q50 elevation on the New Hampton side of the river bio-mats and vegetation shall stabilize the upper river bank and no rip-rap stone shall be used in this area.
23. The applicant shall provide appropriate Compensatory Flood Storage to meet the US Army Corps of Engineers requirements.
24. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
25. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

26. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
27. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
28. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
29. Silt fencing must be removed once the area is stabilized.

With Findings:

Reaffirm findings 1-14, of the original approval:

1. This is a major impact project per Administrative Rule Env-Wt 303.02
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The Pemigewasset LAC has no concerns regarding this project provided the proposed abutments occupy the same foot print as the existing abutments.
6. The approved plans place the proposed abutments approximately 1 foot wider than the existing structure.
7. The bridge was categorized as critically deficient in December 2002 and is on the NH DOT Red List for Municipal Bridges.
8. The proposed bridge ranges between 9 and 11 feet higher than the existing bridge therefore providing a larger hydrologic opening.
9. The applicant has provided a letter of written authorization from the Army Corps of Engineers for work proposed on their property.
10. The applicant has provided a recorded easement from Public Service of New Hampshire for proposed work on their property.
11. The applicant has attempted to provide stormwater treatment and the proposal should improve the quality of the water discharging into the Pemigewasset River.
12. The proposed granite steps will utilize the existing granite abutments therefore working to fulfill the requirements of The Department of Historical Resources.
13. The proposed project is for the replacement of an existing structure and therefore mitigation is not required in accordance with the provisions of Env-Wt 302.03(c)(2)c.
14. The proposed impacts project is also not required to submit mitigation in accordance with the provisions of Env-Wt 302.03(d), as 10,615 square feet of impact are proposed to be temporary.

And make the additional findings:

15. The change in the temporary impacts was to improve the constructability of the bridge.
16. NH Fish and Game has approved the change in the temporary impacts.

2008-00541 MANCHESTER PARKS CEMETERY & RECREATION DEPT, CITY
MANCHESTER Piscataquog River

Requested Action:

Dredge and fill approximately 5,555 sq. ft. of river bed, bank and associated wetlands (includes approximately 425 linear ft. of riverbed and bank) for stabilization of the South Branch of the Piscataquog River and North Branch of the Piscataquog along the edge of Bass Island Park in Manchester. Work in the river and associated banks and wetlands includes stabilization of the river bed and bank with a combination of gabion mattress footings, gabion baskets, granite block cap and bioengineering of the slopes with erosion control fabric, loaming and seeding, native trees and shrub plantings including live stakes and "biologs" with live stakes. Work within the park and bank will also include repair of the existing stairs with a combination of gabion baskets and granite blocks, repair of the existing patio and repair of the existing paved boat access and drainage channel.

Inspection Date: 07/16/2008 by William A Thomas, Cws

APPROVE PERMIT:

Dredge and fill approximately 5,555 sq. ft. of river bed, bank and associated wetlands (includes approximately 425 linear ft. of riverbed and bank) for stabilization of the South Branch of the Piscataquog River and North Branch of the Piscataquog along the edge of Bass Island Park in Manchester. Work in the river and associated banks and wetlands includes stabilization of the river bed and bank with a combination of gabion mattress footings, gabion baskets, granite block cap and bioengineering of the slopes with erosion control fabric, loaming and seeding, native trees and shrub plantings including live stakes and "biologs" with live stakes. Work within the park and bank will also include repair of the existing stairs with a combination of gabion baskets and granite blocks, repair of the existing patio and repair of the existing paved boat access and drainage channel.

With Conditions:

1. All work shall be in accordance with plans narratives by Comprehensive Environmental Incorporated, narratives received by DES on April 7, 2008 with applicable revision through July 28, 2008, as received by DES on July 31, 2008 and plans revision dated July 2008, as received by DES on July 31, 2008.
2. Work shall be done during low flow.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Bank restoration plantings shall have at least 75% success after two (2) growing seasons, or the areas shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
6. A qualified environmental professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives
7. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau and the NHDES Rivers Coordinator within 60 days and one full growing season after the completion of construction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Equipment shall work from the bank of the river and shall not enter river bed or flowing water.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
18. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02((i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and

the banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed Bass Island Park Flood Mitigation project is one of many projects that is being funded by the City of Manchester and FEMA to repair flood damage along the Piscataquog and Merrimack Rivers.
6. The May 2006 and April 2007 flooding events created severe erosion damage to the park, river bank and bed.
7. Bass Island Park Island a public park, provides public access to the river and has historical significance to the city.
8. The stabilization methods are needed to protect the park, public access and prevent further damage to the river and possible damage to the adjacent infrastructure.
9. The park area went through hazardous waste remediation between 1989 and 1993. The City purchased the property in 1993 and converted it to Bass Island Park. At that time some bank restoration activities were conducted.
10. DES Staff conducted an inspection of the proposed project on July 16, 2008. It was determined through the site inspection and supporting site data that with minor changes in the design the proposal would be appropriate due to the site constraints, flow data, existing features of the park and associated infrastructure.
11. The Piscataquog River Local Advisory Committee supports the proposed project.
12. The DES Rivers Management and Protection Program has reviewed the proposed project and supports the design.
13. The DES Wetlands Bureau has reviewed the project with the DES Shoreland Protection Section and a Shoreland Protection Permit is not required for the proposed repairs.
14. The New Hampshire Fish and Game Department (NHFG) submitted comments regarding concerns for potential bald eagle winter roost habitat, brook floater mussel and common nighthawk. The applicant has worked with NHFG to address the concerns.
15. The United States Fish and Wildlife Service (USFWS) has concluded there will be no effect on wintering bald eagles and requested that no trees larger than 8 inch DBH be removed and construction be conducted between March 2 and December 30.
16. The applicant has agreed to the requests of USFWS.
17. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2008-00583 NH DEPT OF TRANSPORTATION
MANCHESTER Unnamed Stream

Requested Action:

Replace two 54 in. metal arch culverts with an 8 ft. x 5 ft. precast concrete box culvert adjacent to the Island Pond Rd. bridges over I-93 and install a soundwall impacting 14,900 sq. ft. of palustrine and riverine wetlands (6,801 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace two 54 in. metal arch culverts with an 8 ft. x 5 ft. precast concrete box culvert adjacent to the Island Pond Rd. bridges over I-93 and install a soundwall impacting 14,900 sq. ft. of palustrine and riverine wetlands (6,801 sq. ft. temporary). NHDOT project #14170.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 03/08, as received by the Department on April 15, 2008.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
18. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), alteration of more than 200 linear feet of stream and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 28, 2008. Field inspection determined that the proposed shelf would allow passage of species that would currently utilize the easterly and higher culvert. Inspection also found the existing culverts are significantly deteriorated and the stream is currently full of iron bacteria.
6. The results of the NH Heritage Bureau review noted species that the NH Fish and Game Dept. have determined would not be negatively impacted.
7. The design of the project includes a shelf within the culvert to accommodate the passage of some species.
8. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine/riverine resource, as identified under RSA 482-A:1.

2008-00861 PETERBOROUGH, TOWN OF
PETERBOROUGH Cunningham Pond

Requested Action:

Replenish 5344 sq ft of existing beach with 63 cubic yards of sand on Cunningham Pond, in Peterborough.

Conservation Commission/Staff Comments:

Con Com has not submitted any comments by 07/22/08

APPROVE PERMIT:

Replenish 5344 sq ft of existing beach with 63 cubic yards of sand on Cunningham Pond, in Peterborough.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, as received by DES on July 28, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. No more than 63 cu yd of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), replenishment of a beach that does not meet the criteria for minimum impact under Env-Wt 303.04(d) or Env-Wt 303.04(aa), or under Env-Wt 303.03(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Field inspection is waived since all of the sand is to be placed above full lake elevation and the proposed project is maintenance of an existing beach.
6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Cunningham Pond, as identified under RSA 482-A:1.

2008-00972

SPRINGFIELD POINT NIRVANA LLC, JOHN BRESNAHAN

WOLFEBORO Lake Winnepesaukee

Requested Action:

Permanently remove an existing 8 ft x 43 ft crib supported dock, install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 44 ft seasonal dock by a 4 ft x 12 ft walkway in a "U" shaped configuration, anchored by two 7 ft x 3 ft concrete pads, install 2 seasonal boatlifts in two of the slips with a 12 ft x 30 ft seasonal canopy over the center slip, install a 6 ft x 50 ft seasonal dock connected to a 7 ft x 3 ft concrete pad on and average of 233 ft of frontage on Lake Winnepesaukee, Wolfefboro.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Permanently remove an existing 8 ft x 43 ft crib supported dock, install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 44 ft

seasonal dock by a 4 ft x 12 ft walkway in a "U" shaped configuration, anchored by two 7 ft x 3 ft concrete pads, install 2 seasonal boatlifts in two of the slips with a 12 ft x 30 ft seasonal canopy over the center slip, install a 6 ft x 50 ft seasonal dock connected to a 7 ft x 3 ft concrete pad on and average of 233 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated May 28, 2008, as received by DES on June 05, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal structures shall be removed from the lake for the non-boating season.
5. No portion of the westernmost pier shall extend more than 50 feet from the shoreline at full lake elevation.
6. Canopies shall be of seasonal construction type with a flexible fabric cover and shall be removed for the non-boating season.
7. Boatlifts shall be of seasonal construction type which shall be removed for the non-boating season.
8. The concrete pads shall be located entirely behind the natural shoreline and above full lake elevation of 504.32.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of any docking system that provides for 4 boat slips including previously existing boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on January 18, 2007 during review of file 2006-02637.
6. The applicant has an average of 233 feet of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
8. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

MINOR IMPACT PROJECT

2005-01671 MANOR ESTATE CONDO ASSOCIATION, LYNDIA FERGUSON
BRISTOL Newfound Lake

Requested Action:

Amend permit to remove approved docking structure and install 6 PWC lifts on the shoreline adjacent to and on the south side of the 10 ft x 50 ft sun deck.

Conservation Commission/Staff Comments:

Con Com has not submitted comments as of 10/07/05

Inspection Date: 10/25/2005 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Amend permit to read: Permanently remove an existing 4 ft x 32 ft seasonal dock, retain a previously permitted 4 ft x 47 seasonal

dock, and install 6 seasonal personal watercraft ramp-lifts adjacent to and on the south side of an existing 10 ft x 50 ft sun deck on an average of 682 ft of frontage on Newfound Lake, Bristol.

With Conditions:

1. All work shall be in accordance with plans by Peter Piccirillo dated June 13, 2008, as received by the Department on July 22, 2008.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal piers shall be removed from the lake for the non-boating season.
7. Seasonal PWC lifts shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 47 feet from the shoreline at full lake elevation.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor project per Rule Wt 303.03(d), construction of a docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The applicant has an average of 682 feet of frontage along Newfound Lake.
3. A maximum of 10 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.
5. The proposed single dock and 6 PWC lifts are less impacting than the previously approved 10 slip major docking facility.
6. Public hearing is waived based on field inspection, by NH DES staff, on October 25, 2005, with the finding that the project impacts will not significantly impair the resources of Newfound Lake.

-Send to Governor and Executive Council-

2006-00112 CHESTER HILL LLC
KINGSTON Unnamed Wetland

Conservation Commission/Staff Comments:

The Kingston Conservation Commission did not comment on the project.

APPROVE NAME CHANGE:

Approve name change to: Chester Hill LLC, 981 Second St., Manchester NH 03103 per request received 8/26/2008. Previous owner: Homeplate II, Inc.

With Conditions:

1. All work shall be in accordance with plans by Sublime Civil Consultants, Inc. dated June 22, 2006 and revised through November 15, 2006, as received by the Department on November 17, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by the DES Site Specific Program.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during seasonal low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2007-01945 NH DES DAM BUREAU
BARNSTEAD Lower Suncook Dam

Requested Action:

Remove rocks and gravel obstructions to flow in outlet channel and open new new section in old "cofferdam" and to restore channel to prior and functional configuration

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Remove rocks and gravel obstructions to flow in outlet channel and open new new section in old "cofferdam". Restore channel to prior and functional configuration

With Findings:

1. On November 28, 2007 DES denied the proposal to remove rocks and gravel obstructions to flow in outlet channel and open new new section in old "cofferdam", and restore channel to prior and functional configuration.
2. On January 8, 2008 DES sent the applicant an Application Review Extension Agreement Form ("Extension Form") at the applicant's request.
3. On January 18, 2008 DES received the form completed by the applicant, for review by DES. DES did not sign the agreement or return the executed extension agreement to the applicant.
4. In the Extension Form the applicant requested an extension to September 30, 2008, and stated that all information and revised plans would be submitted to DES by July 31, 2008.
5. Pursuant to RSA 482-A:10, II, a request for reconsideration shall be filed within 20 days of the issuance of the department's decision. The deadline for filing of the request for reconsideration was 12/18/2007.
6. No written request for reconsideration was received by DES within the time frame stated in finding 5 above. Further, DES did not formally agree to the extension.
7. RSA 482-A:10 and Env Wt 203.02 (c)(d) were not met.
8. No further materials received in support of the application by the applicant's stated date of July 31, 2008.
9. Based upon the above findings, DES finds that the request for reconsideration was not filed in a timely manner; the request for extension of the reconsideration period was not executed, and no further materials were submitted by the applicant, therefore the request for reconsideration is denied.

2008-00219 PSNH
SWANZEY Unnamed Wetland

Requested Action:

Approve amendment request to temporarily impact an additional 2,554 square feet and permanently impact an additional 30 square feet of palustrine emergent/scrub-shrub wetlands and intermittent stream in a utility right-of-way easement for the replacement of the 4.9 mile A-152 electrical transmission line in Swanzeay.

APPROVE AMENDMENT:

Temporarily impact 34,254 square feet and permanently impact 521 square feet of palustrine emergent/scrub-shrub wetlands and intermittent stream in a utility right-of-way easement for the replacement of the 4.9 mile A-152 electrical transmission line in Keene

and Swanzey.

With Conditions:

1. All work shall be in accordance with plans by Public Services of New Hampshire (PSNH) dated December 21, 2007, as received by the DES Wetlands Bureau on February 13, 2008; and plans dated December 21, 2007, and revised though June 06, 2008, and plans dated July 28, 2008, as received by the DES Wetlands Bureau on August 04, 2008; and plans dated December 21, 2007, as received by the DES Wetlands Bureau on August 29, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. All activity shall be in accordance with the current Comprehensive Shoreland Protection Act.
4. Work shall be completed in frozen or dry conditions or with the use of swamp mats or temporary construction bridges.
5. Prior to the installation; swamp mats shall be inspected for and removed of all vegetative matter.
6. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
7. Prior to installation, new wood-pole structures; and upon removal, old wood-pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The contractor shall remove the stumps of the old wood-pole structures in wetlands. If removal of the stump(s) will result in increased wetlands impacts, due to increased soil disturbance, the pole(s) shall be cut off at ground level.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Silt fence(s) must be removed once the area is stabilized.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
17. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
18. There shall be no excavation or operation of construction equipment in flowing water.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering wetlands.
20. Faulty equipment shall be repaired prior to entering wetlands.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur 100 feet away from surface waters or wetlands during construction.
23. The qualified professional shall submit weekly monitoring reports including the status of the project and the work conducted each week, the status of the erosion control measures, restoration areas and color photographs of work areas and areas recently restored. These reports shall be submitted via e-mail to kpulkkinen@des.state.nh.us.
24. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
25. All temporary impact to wetland shall be regraded to original contours and stabilized within 72 hours following the completion of work and 30 days of the start of work.

26. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
27. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
28. Mulch within the restoration areas shall be straw or seedless hay.
29. Seed mix within the restoration areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications.
30. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
31. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
32. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
33. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
34. Recreated stream channel beds must maintain the natural stream bed elevation.
35. Stream banks shall be restored to their original grades and to a stable condition within 5 days of completion of construction.
36. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

With Findings:

The DES Wetlands Bureau reaffirms finding no.'s 1 & 4 - 13:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters.
2. Project construction is not proposed within 50 feet of the Ashuelot River reference line and the proposed project is maintenance of an existing transmission utility line.
3. In correspondence dated February 27, 2008, the Ashuelot River Local Advisory Committee deferred action to the Swanzey and Keene Conservation Commissions given best management practices are implemented and the proposal is the least impacting alternative.
4. The Swanzey Conservation Commission signed the Minimum Impact Expedited Application.
5. In email correspondence dated January 28, 2008, the NHFG Nongame and Endangered Species Program stated it does not anticipate impacts to rare, threatened or endangered wildlife species as a result of the project (NHB07-2063).
6. Application materials state none of the species identified by NHB, except the Dwarf Wedge Mussel, have been identified along the project right-of-way.
7. Application materials state the Dwarf Wedge Mussel has been identified along portions of the Ashuelot River and no construction activities are proposed in or within 50 feet of the Ashuelot River.
8. Project completion in low-flow or frozen conditions may not be possible, and therefore, the project does not meet the minimum impact criteria of Env-Wt 303.04(af) and is minor impact in accordance with Env-Wt 303.03(h).
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

The DES Wetlands Bureau also makes the following findings:

12. Two amendment requests were received by the DES Wetlands Bureau on August 04, 2008 and August 29, 2008, requesting an additional 30 square feet of permanent wetland impact and 2,554 square feet of temporary impact in the town of Swanzey only.

13. Total project impacts for both Swanzey and Keene include 521 square feet of permanent wetland impact and 34,254 square feet of temporary wetland impact.
14. Project impacts proposed in Swanzey include 378 square feet of permanent impact and 27,604 square feet of temporary impacts and impacts proposed in Keene include 143 square feet of permanent impact and 6,640 square feet of temporary impact.
15. This permit approves impacts in the Town of Swanzey. Impacts in the Town of Keene were approved by Wetlands and Non-Site Specific Permit # 2008-00373.

2008-00275 HAMPERS, MARCUS
PLAINFIELD Unnamed Wetland Stream

Requested Action:

Dredge and fill 12,350 sq. ft. wet meadow, emergent wetlands and associated perennial stream for construction of three wildlife ponds totaling 33,070 sq. ft. of open water and marsh wetland/wildlife ponds. The project includes stabilizing the existing beaver dams by hand, creating a natural sand beach area, gravel spawning area, creating a stone spillway for fish passage and creation of a vernal pool in the adjacent uplands.

APPROVE PERMIT:

Dredge and fill 3,950 sq. ft. wet meadow wetlands for construction of an open water and marsh wetland/wildlife pond. The project also includes impacting 50 sq. ft. of wetlands for stabilizing the existing beaver dams by hand and creating a natural sand beach area, gravel spawning area, creating a stone spillway for fish passage and creation of a vernal pool in the adjacent uplands.

With Conditions:

1. All work shall be in accordance with plans by James S. Kennedy, revision dated August 27, 2008, as received by DES on August 28, 2008.
2. Work shall be done during low flow.
3. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the pond is constructed in accordance with the approved plans and narratives.
4. The CWS shall coordinate with the New Hampshire Fish and Game Department for the requirements of the requested down stream temperature monitoring.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. A post-construction report prepared by a CWS documenting the status of the project area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(e) Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p).
2. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
3. The associated stream entering the pond site was thought to be perennial by the applicant's agent but after further review it was found to be intermittent.
4. The proposed pond will be a wildlife pond with additional open water and marsh habitat and fish habitat.
5. The applicant is creating a fish spawning area, fish passage area, natural sand beach area in the pond site and a vernal pool in the adjacent uplands.
6. The New Hampshire Fish and Game Department reviewed the proposed project site in the fall of 2007. It was determined that the proposed pond would not impact fish habitat and no fish were observed within the proposed pond areas. It was requested that water temperature be monitored down stream of the ponds where fish were found in an attempt to document any changes in water temperature from the ponds.
7. The United Fish & Wildlife Service (USFWS) reviewed the application and determined that the project as proposed was not eligible for the NH Programmatic General Permit (PGP) process. A follow-up letter was sent to the applicant from the United States Army Corps of Engineers (ACOE) reiterating the USFWS concerns.
8. DES and USFWS staff conducted a field inspection of the proposed project on June 12, 2008. During the field inspection fish were observed in the upper pond and down stream of the proposed pond impact site. At the time of the inspection there was very little stream flow found in the stream which is 6 to 10 inches wide where visible. DES suggested that the project as proposed was not approvable and other alternatives should be considered if the project was to move forward. Other alternatives were discussed such as incorporating more uplands, removing a majority of the proposed wetland impacts and reducing the number of pond impact areas.
9. The applicant's agent submitted alternative pond designs to DES on July 24, 2008. DES determined that the designs still needed to further minimize impacts.
10. The applicant's agent submitted further revised plans reducing wetland impacts to 4,000 sq. ft. and to only one pond with 8,800 sq. ft. of the pond created in the adjacent uplands.
11. The proposed impacts are not within areas where fish were observed by DES.
12. The USFWS has not commented on the alternative pond designs submitted to DES on July 24, 2008.
13. The applicant's agent has informed DES that he has discussed the revised project with ACOE and it has been indicated that the revised design will be approved under the PGP.

2008-00444 BELMONT, TOWN OF
BELMONT Unnamed Stream

Requested Action:

Dredge and fill 3412 square feet to replace multiple culverts associated with Horne and Union Roads.

APPROVE PERMIT:

Dredge and fill 3412 square feet to replace multiple culverts associated with Horne and Union Roads.

With Conditions:

1. All work shall be in accordance with plan sheets 13 through 20 by Underwood Engineering dated January 30, 2008, and revised through July 11, 2008 and plan sheet 21 y Underwood Engineering dated January 30, 2008, and revised through August 25, 2008, as received by the Department on August 25, 2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during periods of non-flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. All work shall be done from the top of the bank. No equipment shall enter the water.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00612 ANDERSON REVOC TRUST, BRENTON
HOLDERNESS Squam Lake

Requested Action:

Install a 6 ft x 30 ft seasonal dock and install a seasonal boatlift adjacent to a pre-existing 30 ft x 20 ft boathouse on 345 ft of frontage on Squam Lake, in Holderness.

Conservation Commission/Staff Comments:

No comments from Con Com by July 07, 2008

APPROVE PERMIT:

Install a 6 ft x 30 ft seasonal dock and install a seasonal boatlift adjacent to a pre-existing 30 ft x 20 ft boathouse on 345 ft of frontage on Squam Lake, in Holderness.

With Conditions:

1. All work shall be in accordance with plans by Brenton Anderson, as received by DES on July 18, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
7. The boatlift shall be of seasonal construction type which shall be removed for the non-boating season.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of a docking system that provides for 4 boatslips including previously existing boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposed docking structure is located more than 100 ft from the prime wetland.
5. The applicant has an average of 318 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2008-00688 WALKER, PETER & SUSAN
TUFTONBORO Lake Winnepesaukee

Requested Action:

Relocate one rock from between the existing piers to a location 22 ft from the abutting property line on an average of 150 ft of frontage on Lake Winnepesaukee, on Tuftonboro.

Conservation Commission/Staff Comments:

Con Com has no concerns.

APPROVE PERMIT:

Relocate one rock from between the existing piers to a location 22 ft from the abutting property line on an average of 150 ft of frontage on Lake Winnepesaukee, on Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans as received by DES on August 11, 2008.
2. The rock shall be relocated on the frontage as specified on the approved plans.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of rock, gravel, sand, mud or other materials from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.04.

2008-00707 ELLSWORTH, TOWN OF
ELLSWORTH West Branch Brook

Requested Action:

Dredge and fill approximately 9,500 sq. ft. (includes 1,805 sq. ft. of temporary impacts) of wetlands adjacent to West Branch Brook for replacement of an approximately 54 ft. span x 16 ft. wide one lane bridge that is in poor condition and replace with an approximately 56 ft. span x 18 ft. wide bridge, associated abutments and rip-rap abutment protection. Work also includes installation of an approximately 69 ft. span x 15 ft. wide temporary detour bridge, a temporary 36 in. stream culvert, associated temporary detour roadway fill and abutments. Additionally, approximately 900 linear feet of Willey Road will be upgraded with side slope impacts to wetlands and impacts to wetlands for installation of twin 24 in. x 44 ft. HDPE culverts, fire truck pull off and a dry hydrant. The temporary stream channel impacts and associated wetlands impacts from installation of the detour bridge and associated roadway fill will be restored to pre-impact conditions.

Inspection Date: 08/04/2008 by William A Thomas, Cws

APPROVE PERMIT:

Dredge and fill approximately 9,500 sq. ft. (includes 1,805 sq. ft. of temporary impacts) of wetlands adjacent to West Brand Brook for replacement of an approximately 54 ft. span x 16 ft. wide one lane bridge that is in poor condition and replace with an approximately 56 ft. span x 18 ft. wide bridge, associated abutments and rip-rap abutment protection. Work also includes installation of an approximately 69 ft. span x 15 ft. wide temporary detour bridge, a temporary 36 in. stream culvert, associated temporary detour roadway fill and abutments. Additionally, approximately 900 linear feet of Willey Road will be upgraded with side slope impacts to wetlands and impacts to wetlands for installation of twin 24 in. x 44 ft. HDPE culverts, fire truck pull off and a dry hydrant. The temporary stream channel impacts and associated wetlands impacts from installation of the detour bridge and associated roadway fill will be restored to pre-impact conditions.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers Inc. ("HEB"), plan sheets 2, 3, 4, 10 and 11 of 17 dated March 5, 2008, plan sheet 12 of 17 revision dated March 24, 2008 and narratives by North Country Soil Services dated March 24, 2009, as received by DES on May 2, 2008 and revised plan by HEB, sheet 5 of 17 revision dated July 29, 2008, as received by DES on August 8, 2008.
2. Work shall be done during low flow.
3. Construction equipment shall not enter the surface water and shall conduct work from the adjacent banks and upland areas.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. The temporary stream and wetland impacts shall be restored in-kind.
12. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
13. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the bridge and wetlands restoration is completed constructed in accordance with the approved plans and narratives.
14. Wetlands restoration plantings shall have at least 75% success after two (2) growing seasons, or the areas shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
15. All material removed during restoration activities shall be removed down to the level of the original hydric soils.
16. Wetland soils from areas vegetated with purple loosestrife or other invasive species shall not be used in the wetland restoration.
17. Invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) shall be controlled by measures agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.
18. A post-construction report prepared by the CWS documenting the status of the project, restored stream and wetlands shall be submitted to the Wetlands Bureau within 60 days and one full growing season after the completion of construction.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing bridge is in poor condition and is the only road access to the property located on the east side of the brook, which includes two developed residential properties and the White Mountain National Forest.
6. The proposed bridge structure provides a larger hydrological opening than currently exists.
7. The applicant has obtained permission/easements from the abutters and associated land owners of the project site.
8. The proposed construction design is constrained by concerns regarding historical resources near the site.
9. DES Staff inspected the site on August 4, 2008.

2008-01045 NEW IPSWICH, TOWN OF
NEW IPSWICH Furnace Brook

Requested Action:

Dredge and fill 1,124 square feet and temporarily impact 229 square feet of Furnace Brook bed and bank to replace four (4) 48-inch precast reinforced concrete culverts with a 24-foot precast concrete rigid frame bridge at Tricnit Road.

APPROVE PERMIT:

Dredge and fill 1,124 square feet and temporarily impact 229 square feet of Furnace Brook bed and bank to replace four (4) 48-inch precast reinforced concrete culverts with a 24-foot precast concrete rigid frame bridge at Tricnit Road.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated May 2008, as received by the Department on June 13, 2008.
2. This permit is contingent upon the restoration of 229 square feet of temporary stream bed impact to the satisfaction of the DES Wetlands Bureau and in accordance with plans received June 13, 2008; to be completed within 15 days of the completion of construction.
3. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
4. Work shall be done during annual low flow conditions.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.

11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

13. Temporary cofferdams shall be entirely removed immediately following construction.

14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

16. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond, including temporary impact areas (excluding footing protection) must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.

17. The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.

18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to the commencement of work.

19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.

22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

23. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

24. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

25. A post-construction report documenting the status of the completed project shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. The application states the proposed bridge structure passes a 50-yr storm event and spans the natural channel width.

3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01061 NH DEPT OF TRANSPORTATION **ALTON Manmade Settling Basin**

Requested Action:

Fill in 7,900 sq. ft. of a sediment basin no longer needed to allow stockpiling of materials used in roadway projects.

Conservation Commission/Staff Comments:

Cons. Comm. requests removal and proper disposal of the Phragmites, salt, oil or solvent contaminate material and fill with clean water permeable material, not "ditching material".

Inspection Date: 08/12/2008 by Gino E Infascelli

APPROVE PERMIT:

Fill in 7,900 sq. ft. of a sediment basin no longer needed to allow stockpiling of materials used in roadway projects. NHDOT project #M315-4.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance Dist 3 dated 5/12/08 as received by the Department on June 16, 2008.
2. Any dredged material and invasive plants shall be properly disposed of in accordance with the NHDOT manual "Best Management Practices for Roadside Invasive Plants 2008".
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Fill material shall be bank run gravel or similar and shall not be "ditching material"
6. The basin shall be free of contaminated materials prior to filling and the disposal of invasive plants shall be in accordance with the NHDOT manual for Best Management Practices for Roadside Invasive Plants 2008.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done when water levels in the basin are low.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of impacts to nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 12, 2008. Field inspection determined the basin has limited value and was a man made structure which is no longer needed for the intended purpose.
6. The Conservation Commission requests removal and proper disposal of the Phragmites, salt, oil or solvent contaminate material and fill with clean water permeable material, not "ditching material".
7. The permit is conditioned on any dredged material and invasive plants shall be properly disposed of in accordance with the NHDOT manual "Best Management Practices for Roadside Invasive Plants 2008"

2008-01100 MAWSON ET AL, NANCY
GILFORD Lake Winnepesaukee

Requested Action:

Permanently remove approximately 268 sq ft of seasonal and crib supported docking structure, excavate to install a 4 ft x 6 ft concrete pad, and install a 6 ft x 40 ft seasonal dock on Camp Island, on Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Permanently remove approximately 268 sq ft of seasonal and crib supported docking structure, excavate to install a 4 ft x 6 ft concrete pad, and install a 6 ft x 40 ft seasonal dock on Camp Island, on Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated June 16, 2008, as received by DES on June

19, 2008.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
7. Seasonal pier shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
9. The concrete pad shall be located landward and behind the natural undisturbed shoreline and completely above elevation of 504.32.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of any docking system that exceeds the design and construction criteria discussed at Env-Wt 402.21 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 400 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2008-01152 PAXTON, GERALD & LINDA
ALTON Lake Winnepesaukee

Requested Action:

Construct two 6 ft x 30 ft docks, each supported by two 6 ft x 6 ft cribs, connected by a 4 ft x 12 ft walkway, on an average of 281 ft of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Construct two 6 ft x 30 ft docks, each supported by two 6 ft x 6 ft cribs, connected by a 4 ft x 12 ft walkway, on an average of 281 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated June 17, 2008, as received by the Department on June 23, 2008.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.

4. Repairs shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. This permit does not allow for maintenance dredging.
7. The docks shall not extend more than 30 ft lakeward at full lake elevation of 504.32.
8. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
9. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
10. The minimum clear spacing between cribs shall be 12 feet.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of any docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has submitted information to the file indicating the presence of ledge and supporting the request to construct cribs.
6. The applicant has an average of 281 feet of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

MINIMUM IMPACT PROJECT

2007-02704 GREGG TRUST, NICOLE
PORTSMOUTH Tidal Buffer Zone

Requested Action:

Impact 2,040 sq. ft. of developed upland tidal buffer zone to construct 2 additions to an existing dwelling including 223 sq. ft., and 367 sq. ft. of dwelling addition, and 1,100 sq. ft. of attached garage with 350 sq. ft. of driveway.

Waive Administrative Rule Env-Wt 304.04, Setback to Property lines, to allow encroachment of 3 feet into the 20' abutter setback for garage construction.

APPROVE PERMIT:

Impact 2,040 sq. ft. of developed upland tidal buffer zone to construct 2 additions to an existing dwelling including 223 sq. ft., and 367 sq. ft. of dwelling addition, and 1,100 sq. ft. of attached garage with 350 sq. ft. of driveway.

Waive Administrative Rule Env-Wt 304.04, Setback to Property lines, to allow encroachment of 3 feet into the 20' abutter setback for garage construction.

With Conditions:

1. All work shall be in accordance with plans by MSC Inc. dated 8/18/2008, as received by DES on 8/27/2008.

2. This permit is contingent upon receipt by DES of a revision of the plan cited above with the square footage of impact label corrected from 6,550 sq. ft. to 2,040 sq. ft.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. The line of mature shrubs growing along the easterly property line shall not be removed, and shall be maintained to provide a vegetated visual buffer between the permittee's property and the abutter at 36 Salter Street.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously-developed upland areas within 100 feet of the highest observable tide line that are not major or minor as defined in Env-Wt 302.02 or Env-Wt 302.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The new property owner wishes to redevelop an existing multi-unit dwelling into a single family residence and improve the buffer integrity of the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal confines the impacts to landward of the 50' primary building setback, and therefore the impacts are greater than 50 ft. from the tidal resource; and the existing gravel driveway will be eliminated and landscaped with vegetation.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Heritage Bureau for the project vicinity.
5. The Portsmouth Conservation Commission recommends approval of the project.
6. On 6/25/2008 DES received the applicant's request for a Waiver, pursuant to the requirements of Env-Wt 204, to waive the requirements of Env-Wt 304.04, relative to work within the 20' abutter setback, after being unable to obtain written permission from the abutter.
7. Pursuant to the requirements of Env-Wt 204.04(a)(1)a., DES finds that granting the waiver will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety. The proposal represents encroachment into the setback of only 4.3 feet with the garage, which will be more than offset by the elimination of the gravel driveway and revegetation of that area in the buffer zone.
8. Pursuant to the requirements of Env-Wt 204.04(a)(1)b., DES finds that granting the waiver will not result in a more significant impact on abutters than compliance with the rule. The proposal will not impact drainage, and the permit is conditioned to require the permittee to maintain the presence of the dense, mature shrub vegetation along the property line as requested by the abutter.
9. Pursuant to the requirements of Env-Wt 204.04(a)(2), DES finds that condition Env-Wt 204.04(a)(2)b., necessary to granting the Waiver, has been met. DES finds that strict adherence to the rule being waived would result in preventing the applicant from constructing a standard two-car garage for a single family residence on an existing developed urban lot, while providing no increase in environmental quality.
10. Based on findings 6-9 above, DES grants the applicant a Waiver to rule Env-Wt 304.04.

2008-00091 MULLIGAN, JEFFREY & JUDITH
MERRIMACK Baboosic Lake

Requested Action:

Reconstruct an existing 18 ft 2 in x 24 ft 8 in single story boat house and increase the center slip from 8 ft wide to 10 ft wide, reduce a 26 ft 8 in x 5 ft wide dock to 26 ft x 8 in x 2 ft 11 in wide, dredge 18 cubic yards from 332 sq ft within the boat house and center slip, on an average of 143 ft of frontage on Baboosic Lake, Merrimack.

Conservation Commission/Staff Comments:

Con Com has concerns about the proposed dredge.

APPROVE PERMIT:

Reconstruct an existing 18 ft 2 in x 24 ft 8 in single story boat house and increase the center slip from 8 ft wide to 10 ft wide, reduce a 26 ft 8 in x 5 ft wide dock to 26 ft x 8 in x 2 ft 11 in wide, dredge 18 cubic yards from 332 sq ft within the boat house and center slip, on an average of 143 ft of frontage on Baboosic Lake, Merrimack.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated December 28, 2008, as received by DES on January 22, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The proposed work will not add any additional slips or modify the footprints of the structures and will be no more impacting than repairing the existing structures in kind.
5. The applicant has an average of 143 feet of shoreline frontage along Baboosic Lake.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The applicant submitted a request to waive Env-Wt 402.21 since the proposed modifications are less impacting than repairing the structure in kind.
8. The existing docking facility provides 6 slips as defined per RSA 482-A:2, VIII.
9. The proposed modifications to the docking facility will provide 6 slips as defined per RSA 482-A:2, VIII and is not increasing the

number of slips provided by the docking structures.

2008-00165 PORTSMOUTH, CITY OF
PORTSMOUTH Unnamed Wetland

Requested Action:

Impact 921 sq. ft. of wetlands to gain access to the rear of an existing building for maintenance for a proposed building expansion.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Impact 921 sq. ft. of wetlands to gain access to the rear of an existing building for maintenance for a proposed building expansion.

With Findings:

1. A request for additional information dated 4/14/2008, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request. The deadline for submission of this information was 8/12/2008.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2008-00611 KANTNER REVOC TRUST, BRUCE
TEMPLE Unnamed Pond

Requested Action:

Dredge and fill 19,992 square feet of pond and palustrine scrub-shrub wetlands to maintenance dredge and expand an existing pond.

APPROVE PERMIT:

Dredge and fill 19,992 square feet of pond and palustrine scrub-shrub wetlands to maintenance dredge and expand an existing pond.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates, LLC dated April 14, 2008, and revised through July 08, 2008, as received by the Department on July 10, 2008.
2. All work shall be done in the dry/ frozen conditions/ low water/ or under draw down conditions.
3. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Machinery shall not be located within surface waters, where practicable.
5. Machinery shall be staged and refueled in upland areas.
6. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
8. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
9. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. A post-construction narrative documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 square

feet of wetlands impact.

2. The applicant revised the proposal to incorporate more upland into the pond expansion; reducing proposed impacts from 20,074 square feet to 19,992 square feet.
3. The pond will be utilized for non-profit university educational purposes.
4. Pond construction includes varying pond depths, a small island and wetland/aquatic species plantings.
5. In correspondence dated April 28, 2008, the Temple Conservation Commission communicated its support for the project.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01062 PASKERIAN, WAYNE
MEREDITH Lake Winnepesaukee

Requested Action:

Repair an existing 11 ft x 31 ft 9 in permanent dock supported by a large boulder, connected to a 3 ft 9 in x 23 ft 9 in permanent dock supported by a 3 ft x 3 ft crib and a large boulder, by a 3 ft by 10 ft walkway, replace the flat roof on the existing 12 ft x 30 ft boathouse without sides with a 12 ft x 30 ft peaked roof, with no work to the existing 12 ft x 35 ft 8 in rock supported permanent dock, on an average of 101 ft of frontage on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Repair an existing 11 ft x 31 ft 9 in permanent dock supported by a large boulder, connected to a 3 ft 9 in x 23 ft 9 in permanent dock supported by a 3 ft x 3 ft crib and a large boulder, by a 3 ft by 10 ft walkway, replace the flat roof on the existing 12 ft x 30 ft boathouse without sides with a 12 ft x 30 ft peaked roof, with no work to the existing 12 ft x 35 ft 8 in rock supported permanent dock, on an average of 101 ft of frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated May 23, 2008, as received by DES on June 16, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. The repairs shall maintain the existing size, location and configuration of the structures with the exception of the modification permitted to the boathouse roof.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. All construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the

department based on the degree of environmental impact.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has an average of 101 feet of shoreline frontage along Lake Winnepesaukee.

5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.

6. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

7. The modification of the boathouse roof will be not increase the impacts of the structure and is necessary for improved structural stability and safety and, therefore, Rule Env-Wt 402.21, Modification of Existing Structures, is waived in accordance with Part Env-Wt 204, Waivers.

2008-01222 PLEASANT VALLEY MANUFACTURED HOUSE COOP
CLAREMONT Unnamed Stream

Requested Action:

Confirm emergency authorization to repair/connect a 6 inch under drain to an existing 36 in. CMP culvert.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm emergency authorization to repair/connect a 6 inch under drain to an existing 36 in. CMP culvert.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

FORESTRY NOTIFICATION

2008-01612 REYNOLDS, ROLLIN & PAULA
HOLDERNESS Unnamed Stream

COMPLETE NOTIFICATION:

Holderness Tax Map 221, Lot# 7

2008-01633 DRED, NH
DUBLIN Unnamed Stream

COMPLETE NOTIFICATION:

Dublin Tax Map 5, Lot# 21

2008-01634 **NH FISH & GAME DEPT**
HANCOCK **Unnamed Stream**

COMPLETE NOTIFICATION:
Hancock Tax Map R14, Lot# 2

2008-01635 **NH DRED**
CONCORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Concord Tax Map 86, Lot# 20

2008-01636 **WILDER, HOLLIS**
SPRINGFIELD **Unnamed Stream**

COMPLETE NOTIFICATION:
Springfield Tax Map 18, Lot# 490,200

2008-01735 **OPITZ, JEREMY**
DANBURY **Unnamed Stream**

COMPLETE NOTIFICATION:
Danbury Tax Map 406, Lot# 201

2008-01740 **BENNETT, WINTHROP**
HOLLIS **Unnamed Stream**

COMPLETE NOTIFICATION:
Hollis Tax Map 23, 29, Lot# 33, 36

2008-01741 **KENNETT, RUSSELL**
MADISON **Unnamed Stream**

COMPLETE NOTIFICATION:
Madison Tax Map 203, Lot# 7, 8, 8 & 10

2008-01743 **NOLL, WALTER**
HANOVER **Unnamed Stream**

COMPLETE NOTIFICATION:
Hanover Tax Map 13, Lot# 52-1

EXPEDITED MINIMUM

2007-01290 GLAVIN, WILLIAM
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a 288 sq ft perched beach on 309 linear feet of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 288 sq ft perched beach on 309 linear feet of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscaping Company dated May 25, 2007, as received by DES on June 12, 2007.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. All dredged or excavated material and construction related debris shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

2008-00840 ALLISON, JANE TRUST - 1998
RYE Atlantic Ocean

Requested Action:

Impact a total of 1,821 square feet within the previously disturbed 100-foot tidal buffer zone to include replacing the existing dwelling; replacing the existing patio and walkway; repairing the existing sea wall ; repairing two (2) existing brick walkways; the in-kind replacement of the existing wooden fences; and, restoration of the damaged vegetation seaward of the seawall to provide enhanced wave attenuation under storm conditions for a single family residential dwelling on 0.93 acres with approximately 115 feet

of frontage on the Atlantic Ocean.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 1,821 square feet within the previously disturbed 100-foot tidal buffer zone to include replacing the existing dwelling; replacing the existing patio and walkway; repairing the existing sea wall ; repairing two (2) existing brick walkways; the in-kind replacement of the existing wooden fences; and, restoration of the damaged vegetation seaward of the seawall to provide enhanced wave attenuation under storm conditions for a single family residential dwelling on 0.93 acres with approximately 115 feet of frontage on the Atlantic Ocean.

With Conditions:

1. All work shall be in accordance with plans by NHSC, Inc. dated May 6, 2008 and revised July 22, 2008, as received by DES on July 28, 2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Repair/replacement of those structures, exclusive of the sea wall repairs, shall maintain existing size, location and configuration.
7. Repair of the existing seawall wall shall result in no change in height, length, location, or configuration. If a sea wall is to be refaced such additional width shall not exceed 6 inches.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Restoration:

9. All persons involved in restoration activities on the Property shall have read and become familiar with the provisions of the aforementioned plan and the following conditions prior to beginning restoration work on the Property.
10. A qualified environmental consultant shall supervise the restoration activities on the Property to ensure that the restoration is accomplished pursuant to this Permit.
11. All restoration areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or the areas shall be replanted until a functional vegetated buffer is established to the satisfaction of the DES Wetlands Bureau.
12. There shall be no substitutions made for the plant species specified on the approved plan for replanting purposes without prior written approval from DES.
13. The qualified wetlands consultant shall inspect the restoration areas, and submit an initial monitoring report with photographs to DES within 20 days of the projected restoration completion date, but in no event shall the initial monitoring report be submitted later than July 1, 2008. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Mounted photographs should depict all stages of restoration sequencing.
14. Subsequent monitoring reports shall be submitted to DES following the first and second growing seasons to review the success of the restoration and schedule remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions by November 1, 2009, with a second follow up inspection scheduled for November 1, 2010.
15. Remedial measures may include, but are not limited to replanting, relocation of plantings, removal of invasive species, altering the soil composition or depths, deconsolidation of soils due to compaction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas

within 100 feet of the highest observable tide line

unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.

2. The applicant requests to replace the existing dwelling; replace the existing patio and walkway; repair the existing sea wall; repair two (2) existing brick walkways; the in-kind replacement of the existing wooden fences; and, restore the damaged vegetation seaward of the seawall to provide enhanced wave attenuation under storm conditions; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts within the tidal buffer zone will provide a net decrease in impervious area. Additionally, the restoration and establishment of vegetation seaward of the seawall will afford the property enhanced protection from wave action under storm conditions by binding the soil and dissipating wave energy; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01024 FRANCESTOWN DPW, TOWN OF
FRANCESTOWN South Branch Piscataquoug River**

Requested Action:

Temporarily impact approximately 240 sq. ft. of stream bed and 1,200 sq. ft. of bank to repair twin 13 ft. 9 in x 7 ft. 6 in. squash culverts with concrete cutoff walls.

APPROVE PERMIT:

Temporarily impact approximately 240 sq. ft. of stream bed and 1,200 sq. ft. of bank to repair twin 13 ft. 9 in x 7 ft. 6 in. squash culverts with concrete cutoff walls.

With Conditions:

1. All work shall be in accordance with plans and narratives by the Town of Francestown, as received by DES on June 13, 2008 and August 1, 2008.
2. The approved work shall not alter the natural stream bed and culvert elevations.
3. Any new stream bed restoration or stabilization materials shall be natural stream bed materials or similar and shall not include angular rip-rap.
4. Work shall be done during annual low flow conditions.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. There shall be no excavation or operation of construction equipment in flowing water.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
14. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The work is needed to prevent a similar culvert failures resulting from recent storm events.

**2008-01168 OPEL REVOC TRUST, WAYNE & JANE
GILFORD Lake Winnepesaukee**

Requested Action:

Remove an existing 7 ft x 30 ft 6 in seasonal dock and an 8 ft 6 in x 3 ft 6 in concrete pad install a 6 ft x 40 ft seasonal dock attached to a 6 ft x 4 ft concrete pad on Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Remove an existing 7 ft x 30 ft 6 in seasonal dock and an 8 ft 6 in x 3 ft 6 in concrete pad install a 6 ft x 40 ft seasonal dock attached to a 6 ft x 4 ft concrete pad on Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated revised July 23, 2008, as received by DES on August 1, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. Failure to replace the pre-existing concrete pad with a compliant concrete pad prior to the installation of the new pier shall be considered a violation of this permit.
7. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the

department's jurisdiction per Env-Wt 302.03.

4. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2008-01380 BIANCHI, R PETER
NEW LONDON Pleasant Lake

Requested Action:

Repair an existing 12 ft x 24 ft permanent dock supported by a 12 ft x 14 ft crib "in kind" on 150 ft of frontage on Pleasant Lake, New London.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 12 ft x 24 ft permanent dock supported by a 12 ft x 14 ft crib "in kind" on 150 ft of frontage on Pleasant Lake, New London.

With Conditions:

1. All work shall be in accordance with plans dated as received by DES on July 23, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Repair shall maintain existing size, location and configuration.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2008-01415 BERRY, JAY
SUCCESS Success Pond

Requested Action:

Repair and/or replace existing 18 ft x 20 ft crib supported boathouse "in-kind" on 125 ft of frontage in Success on Success Pond.

APPROVE PERMIT:

Repair and/or replace existing 18 ft x 20 ft crib supported boathouse "in-kind" on 125 ft of frontage in Success on Success Pond.

With Conditions:

1. All work shall be in accordance with revised plans by Jay Berry as received by DES on July 28, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. Cribbs shall be replaced with the same dimensions, location and configuration.
7. Existing crib rocks shall be reused. This permit does not authorize the use of additional rock.
8. All construction related debris shall be completely removed from the Department's jurisdiction.
9. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) repair/replacement of existing boathouse with exception to the conversion from a flat roof to a pitched roof.
2. Pitching the roof on the existing nonconforming docking structure does not change to scope and/or use of the structure.
3. Pitching the roof will add to the structural integrity, with concerns of snow load during the winter months; resulting in less maintenance and future impacts to surface waters.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01466 POWELL, MARVIN
MILAN Unnamed Stream

Requested Action:

Dredge and fill 272 sq. ft. (50 linear ft.) of wetlands and associated intermittent stream for access to a proposed 10-lot residential subdivision. Work in wetlands includes installation of a 24 in. x 50 ft. culvert and associated headwalls.

APPROVE PERMIT:

Dredge and fill 272 sq. ft. (50 linear ft.) of wetlands and associated intermittent stream for access to a proposed 10-lot residential subdivision. Work in wetlands includes installation of a 24 in. x 50 ft. culvert and associated headwalls.

With Conditions:

1. All work shall be in accordance with plans by Breaver Tracks, LLC, as received by DES on August 1, 2008 and plans by York Land Services, LLC, dated May 30, 2008, as received by DES on June 4, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be conducted during no flow.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 and #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Coos County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01548 HANSON, TIMOTHY
HENNIKER Unnamed Stream

Requested Action:

Dredge and fill 238 square feet of intermittent stream to install a 30-inch x 20-foot culvert in an existing right-of-way for access to a single family residence existing lot of record.

APPROVE PERMIT:

Dredge and fill 238 square feet of intermittent stream to install a 30-inch x 20-foot culvert in an existing right-of-way for access to a single family residence existing lot of record.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated June 15, 2008, as received by the Department on August 11, 2008.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction,

shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The proposed project was previously approved by Wetlands and Non-Site Specific Permit # 2002-02315.
3. The applicant was unable to complete the approved project due to an ongoing court case over the right of the applicant to use and improve the right-of-way providing access to the subject parcel.
4. The court order dated 05/08/2008, which ruled in favor of the applicant was made after the expiration date of Wetlands and Non-Site Specific Permit # 2002-02315, 12/10/2007.
5. This approval is for the same impacts approved by Wetlands and Non-Site Specific Permit # 2002-02315.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01607 BUCZAK, EDWIN
GILFORD Lake Winnepesaukee

Requested Action:

Repair an existing 5 ft x 46 ft 6 in crib pier with a 6 ft x 10 ft crib pier on the lakeward end in a "L" shaped configuration, replace the 5 ft x 46 ft crib with three 5 ft x 10 ft cribs and replace the 6 ft x 10 ft crib under the lakeward end in kind, on 205 ft of frontage on Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 5 ft x 46 ft 6 in crib pier with a 6 ft x 10 ft crib pier on the lakeward end in a "L" shaped configuration, replace the 5 ft x 46 ft crib with three 5 ft x 10 ft cribs and replace the 6 ft x 10 ft crib under the lakeward end in kind, on 205 ft of frontage on Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans dated August 1, 2008, as received by DES on August 14, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

4. This permit does not allow for work to any other structures on this frontage.
5. Repairs shall maintain the existing size, location and configuration of the structure.
6. Existing rocks shall be used for the reconstruction of the cribs, no new rocks.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
11. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The replacement of a 5 ft x 46 ft crib with three 5 ft x 10 ft cribs provides for less impact to the lake bed than replacing existing crib "in kind".

LAKES-SEASONAL DOCK NOTIF

2008-00314 ELDREDGE, ROBERT
SANBORNVILLE Lovell Lake

2008-01274 MERCIER, JEREMY
BARRINGTON Long Pond

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTION:
Barrington, NH Tax Map 108 Lot 22
Long Pond

2008-01643 WHITNEY, JOHN & JEANNE
EAST WAKEFIELD Great East Lake

COMPLETE NOTIFICATION:
East Wakefield, NH Tax Map 128 Lot 3
Great East Lake

2008-01644 WALSH, JANE
TUFTONBORO Lower Beech Pond

COMPLETE NOTIFICATION:
Tuftonboro, NH Tax Map 69 Lot 7
Lower Beech Pond

2008-01649 BARNES, DEBORAH
WASHINGTON Highland Lake

COMPLETE NOTIFICATION:
Washington, NH Tax Map 24 Lot 126
Highland Lake

2008-01651 BARNES, DEBORAH
WASHINGTON Highland Lake

COMPLETE NOTIFICATION:
Washington, NH Tax Map 24 Lot 89
Highland Lake

2008-01672 SHAMROCK BUILDERS LLC
WAKEFIELD Lovell Lake

COMPLETE NOTIFICATION:
Wakefield, NH Tax Map 179 Lot 118
Lovell Lake

X-SHORELAND VARIANCE / WA

2007-02544 ST GERMAIN, PHILIP
NEW CASTLE Piscataqua River

Requested Action:
Expand an existing primary structure located within the primary building setback (the "Setback") on property occupying .82 acres on the Piscataqua River in Newcastle.

APPROVE CSPA WAIVER:
Expand an existing primary structure located within the primary building setback (the "Setback") on property occupying .82 acres on the Piscataqua River in Newcastle.

With Conditions:
1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by Ambit Engineering Inc. dated November 21, 2007 and received by the Department of Environmental Services ("DES") on November 21, 2007.

2. This Waiver shall not be effective unless and until it has been recorded at the Rockingham County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.
3. Neither the Owner nor any subsequent owner shall construct, expand, install or otherwise create any impervious surface, other than those shown on building plans by Ambit Engineering Inc. dated November 21, 2007 and received by the DES on November 21, 2007, within the Setback.
4. This Waiver shall run with the land and be binding upon the Owner and all subsequent owners of the Subject Property.
5. The authorization provided herein is contingent upon the restriction of use within the Setback described above in condition 3. This authorization shall become null and void in the event the Owner or any subsequent owners violate condition 3. In the event condition 3 is violated, the State may seek appropriate relief including, but not limited to, removal of the structure authorized herein.
6. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
7. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
8. All proposed vegetation shall be planted by July 1, 2008. Plantings shall have a 90% survival success rate by October 31, 2008. An initial monitoring report shall be submitted to DES by November 15, 2008 documenting the success of the plantings. In the event that construction is delayed, the Applicant shall submit a written request to DES to plant the proposed vegetation at a later date.
9. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
10. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. A copy of the recorded Waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
13. This Waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
14. The owner shall maintain compliance with all other applicable requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.
15. DES and the Town of Newcastle, pursuant to RSA 483-B:8, III, shall have the right to enforce the terms and conditions of this Waiver, including collection of their reasonable costs and attorneys' fees in bringing any such action.

With Findings:

1. The existing structure, as identified on the Town of New Castle Tax Map 16 Lot 47, is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 37 ft from the reference line, has a ridgeline height of approximately 30 ft and a footprint of approximately 224 sq ft located within the Setback, providing approximately 448 sq ft of living space within the Setback.
3. The proposed structure shall be located approximately 37 ft from the reference line, have a ridgeline height of approximately 30 ft and a footprint of approximately 370 sq ft located within the Setback, providing approximately 672 sq ft of living space within the Setback.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove approximately 2,858 sq ft of existing asphalt driveway located within the Setback and replace it with approximately 1,500 sq ft of porous pavers and approximately 1358 sq ft of pea stone or crushed shells.
6. The Applicant has proposed to remove invasive vegetation located between the driveway and the marsh.
9. The Applicant's proposal includes a reduction of approximately 1,454 sq ft of impervious surface within the Setback and removal of invasive vegetation along the wetland boundary.

10. Based on this information, the Department has determined that the Applicant's proposal is more nearly conforming with RSA 483-B, the CSPA, and provides at least the same degree of protection to the public waters, and, therefore, meets the requirements of RSA 483-B:11, II.

Requested Action:

Expand an existing primary structure located within the primary building setback (the "Setback") on property occupying .82 acres on the Piscataqua River in Newcastle.

APPROVE CSPA WAIVER:

Expand an existing primary structure located within the primary building setback (the "Setback") on property occupying .82 acres on the Piscataqua River in Newcastle.

2008-00386 AQUAVEST II REALTY TRUST
WINDHAM Cobbett's Pond

Requested Action:

Replace an existing nonconforming primary structure located within the primary building setback (the "Setback") with a proposed nonconforming primary structure on property with approximately 96 ft of frontage on Cobbetts Pond in Windham.

Inspection Date: 04/02/2008 by Thomas Gilbert

APPROVE CSPA WAIVER:

Replace an existing nonconforming primary structure located within the primary building setback (the "Setback") with a proposed nonconforming primary structure on property with approximately 96 ft of frontage on Cobbetts Pond in Windham.

2008-00954 FARMER, FRANK
WEARE Horace Lake

Requested Action:

Expand an existing nonconforming primary structure located within the primary building setback (the "Setback") on property with approximately 182 ft of frontage on Horace Lake in Weare.

Inspection Date: 06/18/2008 by Thomas Gilbert

APPROVE CSPA WAIVER:

Expand an existing nonconforming primary structure located within the primary building setback (the "Setback") on property with approximately 182 ft of frontage on Horace Lake in Weare.

2008-00986 RORKE, CHRISTOPHER
NORTHWOOD Pleasant Lake

Requested Action:

Replace an existing nonconforming primary structure located within the primary building setback (the "Setback") on property with approximately .22 acres on Pleasant Lake in Northwood.

Inspection Date: 07/11/2008 by Thomas Gilbert

APPROVE CSPA WAIVER:

Replace an existing nonconforming primary structure located within the primary building setback (the "Setback") on property with approximately .22 acres on Pleasant Lake in Northwood.

PERMIT BY NOTIFICATION

2008-01475 GORDON, DAVID
ALTON Lake Winnepesaukee

Requested Action:

Repair existing boathouse

PBN IS COMPLETE:

Repair existing boathouse

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2008-01606 PAUGH, JAMES
MEREDITH Lake Winnepesaukee

Requested Action:

Repair ice clusters.

PBN DISQUALIFIED:

Repair ice clusters.

With Findings:

1. Plans submitted do not adequately portray existing structures on the frontage. Plans received by the department on August 27, 2008 do not show dock and boathouse support locations, and do not show a 14 ft x 80 ft piling supported docks locations in relation to propeerty lines.

2008-01624 ROCHESTER HOUSING AUTHORITY
ROCHESTER Cocheco River

Requested Action:

Install temporary coffer dam and repair in-kind 4 concrete pilings which support a concrete patio attached to existing Mill building, total square footage of impact approximately 612 sq. ft. (450 sq. ft. of temporary impact for coffer dam, and approximately 162 sq. ft. permanent impact for piling repair.)

Conservation Commission/Staff Comments:

Rochester Conservation Commission signed PBN.

PBN IS COMPLETE:

Install temporary coffer dam and repair in-kind 4 concrete pilings which support a concrete patio attached to existing Mill building, total square footage of impact approximately 612 sq. ft. (450 sq. ft. of temporary impact for coffer dam, and approximately 162 sq. ft. permanent impact for piling repair.)

2008-01663 LUDIN TRUST, MARY JAYNE
MEREDITH Lake Winnepesaukee

Requested Action:

Repair/replace existing crib supported permanent U-shaped docking facility.

PBN IS COMPLETE:

Repair/replace existing crib supported permanent U-shaped docking facility.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2008-01669 PORTSMOUTH, CITY OF
PORTSMOUTH Unnamed Stream

Requested Action:

Dredge and fill 200 sq. ft. of wetlands to repair stone headwall of existing culvert in-kind.

Conservation Commission/Staff Comments:

Portsmouth Con. Com. signed related PBN 2008-1439 for headwall on other end of same culvert. City forgot to apply to repair both sides.

PBN IS COMPLETE:

Dredge and fill 200 sq. ft. of wetlands to repair stone headwall of existing culvert in-kind.

2008-01694 PSNH
STRATHAM Unnamed Wetland

Requested Action:

Temporarily impact 576 square feet of palustrine scrub shrub wetland and intermittent stream for the replacement of a deteriorated, wooden utility pole on the S-153 transmission line.

Conservation Commission/Staff Comments:

The Stratham Conservation Commission signed the PBN.

PBN IS COMPLETE:

Temporarily impact 576 square feet of palustrine scrub shrub wetland and intermittent stream for the replacement of a deteriorated, wooden utility pole on the S-153 transmission line.

X-SHORELAND RULE WAIVER

2008-00752 KIRK, PETER & CARYS
SANDOWN Angle Pond

Requested Action:

Replace two existing nonconforming primary structures located within the primary buiding setback (the "Setback") with a proposed nonconforming primary structure and a proposed conforming structure on property with approximately .23 acres on Angle Pond in Sandown.

Inspection Date: 06/18/2008 by Thomas Gilbert

DENY CSPA WAIVER:

Replace two existing nonconforming primary structures located within the primary buiding setback (the "Setback") with a proposed nonconforming primary structure and a proposed conforming structure on property with approximately .23 acres on Angle Pond in Sandown.

CSPA PERMIT

2008-01335 WILLIAMS, LINDA & DAVID
HAMPSTEAD Island Pond

Requested Action:

Construct 806 sq ft of new open porch and deck area attached to an existing nonconforming primary structure on property with approximately 530 ft of frontage on Island Pond in Hampstead.

APPROVE AMENDMENT:

Construct 806 sq ft of new open porch and deck area attached to an existing nonconforming primary structure on property with approximately 530 ft of frontage on Island Pond in Hampstead.

With Conditions:

AMENDED CONDITIONS

1. All work shall be in accordance with plans by Todd Wallace from Dube Plus Construction dated July 8, 2008 and received by the Department of Environmental Services ("DES") on July 18, 2008.
2. No more than 19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,590 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,724 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. No open porch or deck shall extend more than 12 ft from the existing structure towards the reference line.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. In accordance with RSA 483-B:11, I, an open porch or deck may be added to a nonconforming structure within the primary building setback provided that it does not extend more than 12 feet from the structure towards the reference line. No waiver is required for the project as proposed.

2008-01428 RIDGEWAY, RUSS & TERRY
BARRINGTON Ayer's Lake

Requested Action:

Construct a conforming primary structure and convert an existing conforming primary structure to an office building on property with approximately 169 ft of shoreline frontage on Ayers Lake in Barrington.

APPROVE PERMIT:

Construct a conforming primary structure and convert an existing conforming primary structure to an office building on property with approximately 169 ft of shoreline frontage on Ayers Lake in Barrington.

With Conditions:

1. All work shall be in accordance with plans by Bruce Pohopek dated July 16, 2008 and received by the Department of Environmental Services ("DES") on July 29, 2008.
2. No more than 14.27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 9,450 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,350 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. There shall be no additional living facilities independent of the proposed residential primary structure on the property.
6. The Permittee shall file a restrictive covenant in the appropriate Registry of Deeds limiting the proposed office building such that there shall be no kitchen facilities or bedrooms in the structure upon completion of the proposed primary residential structure.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. A deed restriction has been placed on this property to limit the use of the pre-existing primary structure to a nonresidential office and workshop.

2008-01456 DAHM, NANCY
NEW LONDON Little Lake Sunapee

Requested Action:

Replace an existing nonconforming primary structure located within the primary building setback (the "Setback") with a proposed conforming primary structure on property with approximately 79 ft of frontage on Little Lake Sunapee in New London.

APPROVE PERMIT:

Replace an existing nonconforming primary structure located within the primary building setback (the "Setback") with a proposed conforming primary structure on property with approximately 79 ft of frontage on Little Lake Sunapee in New London.

With Conditions:

1. All work shall be in accordance with plans by Harrison Mulhern Architects dated July 11, 2008 and received by the Department of Environmental Services ("DES") on August 1, 2008.
2. No more than 18.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,118 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,392.25 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. The proposed "Aqua-Bric" and "Uni Eco Stone" brand permeable pavers shall be installed and maintained in accordance with the manufacturers specifications.
5. This permit is contingent upon approval of the proposed septic system by the NH Subsurface Systems Bureau.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This project should have no negative effects on the Common Loon, as the Applicant's proposal includes an increase in the existing waterfront buffer.

2008-01464 SIRVINT/GORDENSTEIN, RICHARD/ROBERTA
RINDGE Pool Pond

Requested Action:

Expansion of an existing conforming primary structure and existing driveway on property with approximately 186 ft of shoreline frontage in Rindge.

APPROVE PERMIT:

Expansion of an existing conforming primary structure and existing driveway on property with approximately 186 ft of shoreline frontage in Rindge.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated July 11, 2008 and received by the Department of Environmental Services ("DES") on August 1, 2008.
2. No more than 18.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 10,889.25 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,259.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must

remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. This permit is contingent upon approval of the proposed septic system by the NH Subsurface Systems Bureau.
5. There shall be no additional living facilities on the property that are independant of the proposed primary structure.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The project should not impact wildlife identified as sensitve species by the NH Natural Heritage Bureau as there are no impacts proposed within the 50 ft waterfront buffer or within jurisdictional wetlands.

2008-01473 GARBARINO, WILLIAM/CAROL
ENFIELD Eastman Lake

Requested Action:

Impact 1,180 sq ft to replace an existing septic system on property with indirect frontage to Eastman Lake in Enfield.

APPROVE PERMIT:

Impact 1,180 sq ft to replace an existing septic system on property with indirect frontage to Eastman Lake in Enfield.

With Conditions:

1. All work shall be in accordance with plans by CLD Engineers dated August 14, 2008 and received by the Department of Environmental Services ("DES") on August 18, 2008.
2. No more than 11.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 12,108 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,027 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent upon approval of the proposed septic system by the NH Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

CSPA PERMIT W/VARIANCE

2008-01178 BONENFANT, GEORGE
NORTHWOOD Bow Lake

2008-01245 SQUAM LAKESIDE FARMINC
HOLDERNESS Little Squam Lake

Requested Action:

Variance request for conversion of subdivision into resort condominiums on property with approximately 1046 ft of shoreline frontage on Little Squam Lake in Holderness.

APPROVE CSPA VARIANCE:

Variance request for conversion of subdivision into resort condominiums on property with approximately 1046 ft of shoreline frontage on Little Squam Lake in Holderness.

CSPA PERMIT W/WAIVER

2008-01096 EASTMAN COMMUNITY ASSOC
GRANTHAM Eastman Pond

2008-01191 PALLARIA, JOHN & MICHELLE
WINDHAM Cobbett's Pond

Requested Action:

Replacement of an existing nonconforming primary structure with a proposed nonconforming primary structure within the primary building setback (the "Setback") on property with approximately 50 ft of frontage on Cobbetts Pond in Windham.

Conservation Commission/Staff Comments:

see file 08-391 for inspection report.

APPROVE CSPA WAIVER:

Replacement of an existing nonconforming primary structure with a proposed nonconforming primary structure within the primary building setback (the "Setback") on property with approximately 50 ft of frontage on Cobbetts Pond in Windham.

2008-01656 ESTEY/MATTHEW, HARDY/RITA
DERRY Beaver Lake

Requested Action:

Replace an existing nonconforming primary structure with a proposed conforming primary structure and a garage on property with approximately 50 ft of shoreline frontage on Beaver Lake in Derry.

APPROVE PERMIT:

Replace an existing nonconforming primary structure with a proposed conforming primary structure and a garage on property with approximately 50 ft of shoreline frontage on Beaver Lake in Derry.

With Conditions:

1. All work shall be in accordance with building plans by V.W. Dingman & Sons dated June 30, 2008 and received by the Department of Environmental Services ("DES") on August 14, 2008.
2. No more than 29.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,250 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,250 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. The proposed parking area shall be composed of "SF-Rima" brand permeable concrete and shall be installed and maintained in accordance with the manufacturers specifications.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.